

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

MARCO JONES,)	
)	Civil Action No. 09 - 283
Plaintiff,)	
)	District Judge Terrence F. McVerry
v.)	
)	
THURSTON MAYS; LINDA HOOVER;)	
DAVID LEWANDOSKI; LINDA WOODS;)	
P.B.P.P.; PATTIE MISCO; and DENISE)	
QUACH;)	
)	
Defendants.)	

ORDER

The above captioned case was initiated on March 5, 2009, and was referred to a magistrate judge for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rule 72.C.2 of the Local Rules.

The Magistrate Judge's Report and Recommendation (ECF no. 48), filed on December 2, 2010, recommended that the Motion to Dismiss filed by Defendants Pattie Misco, the Pennsylvania Board of Probation and Parole and Denise Quach (ECF No. 38) be granted, that the Motion to Dismiss filed by Defendants Linda Hoover and Thurston Mays (ECF No. 41) be granted and that Plaintiff's Complaint be dismissed against the unserved Defendants in accordance with the Prison Litigation Reform Act, 28 U.S.C. § 1915(e)(2)(B)(ii) and/or 28 U.S.C. § 1915A(b) for failure to state a claim upon which relief can be granted. Plaintiff was served with the Report and Recommendation at his address of record and advised that he had until December 20, 2010 to file objections to the Report and Recommendation. No objections have been filed.

After a *de novo* review of the pleadings and documents in the case, together with the Report

and Recommendation, the following order is entered:

AND NOW, this 2nd day of February, 2011;

IT IS HEREBY ORDERED that the Motion to Dismiss filed by Defendants Pattie Misco, the Pennsylvania Board of Probation and Parole and Denise Quach (ECF No. 38) is **GRANTED**.

IT IS FURTHER ORDERED that the Motion to Dismiss filed by Defendants Linda Hoover and Thurston Mays (ECF No. 41) is **GRANTED**.

IT IS FURTHER ORDERED that Plaintiff's Complaint is **DISMISSED** against the remaining Defendants in accordance with the Prison Litigation Reform Act, 28 U.S.C. § 1915(e)(2)(B)(ii) and/or 28 U.S.C. § 1915A(b) for failure to state a claim upon which relief can be granted.

IT IS FURTHER ORDERED that the Report and Recommendation (ECF no. 48) dated December 2, 2010, is adopted as the Opinion of the Court.

IT IS FURTHER ORDERED that the Clerk of Court mark this case **CLOSED**.

AND IT IS FURTHER ORDERED that pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, Petitioner has thirty (30) days to file a notice of appeal as provided by Rule 3 of the Federal Rules of Appellate Procedure.

By the Court:

s./ Terrence F. McVerry
Terrence F. McVerry
United States District Judge

cc: Marco Jones
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